



STATE OF ILLINOIS)  
) SS  
COUNTY OF COOK )

**COOK COUNTY SHERIFF'S  
MERIT BOARD**

**IN THE MATTER OF:**

SHERIFF'S POLICE OFFICER )  
JUAN CARMONA )  
██████████ )  
██████████ )  
EMPLOYEE # 726459 )  
STAR # 397 )

**RECEIVED**

AUG 22 2012

COOK COUNTY  
DOCKET NO. MERIT BOARD

1658-08

**COMPLAINT**

NOW COMES THOMAS J. DART, Sheriff of Cook County, State of Illinois, and complains of and files written charges for cause against Sheriff's Police Officer Juan Carmona ("RESPONDENT"), pursuant to 55 ILCS 5/3-7011 & 7012. In support thereof, the Sheriff states as follows:

1. That on February 13, 2001 the RESPONDENT was hired by the Cook County Sheriff's Office. RESPONDENT was appointed a Cook County Sheriff's Police Officer assigned to the Cook County Sheriff's Police Department, 1401 South Maybrook Drive, Maywood, Illinois.
2. That RESPONDENT was indicted by the United States of America in federal indictment number 12 CR 0573 alleging violations of federal law.
3. That on or about March 24, 2008 RESPONDENT knowingly accessed a Cook County Sheriff's Police mobile data terminal and exceeded his authorized access in order to obtain information regarding a State of Illinois license plate contained in the National

Crime Information Center ("NCIC") computers in furtherance of unlawful narcotics activity.

4. That access to the information contained in the NCIC database is restricted to official use only and may not be divulged to anyone outside an authorized agency except as required by law.
5. That on or about December 22, 2011 RESPONDENT was asked by agents of the Federal Bureau of Investigation ("FBI") whether he knew a specific individual in during 2008, information that was material to a FBI investigation regarding unauthorized access to the NCIC database.
6. That on or about December 22, 2011 RESPONDENT knowingly and willingly made materially false statements to agents of the Federal Bureau of Investigation, representing that he did not know that specific individual during 2008.
7. That the acts of RESPONDENT constituted a violation of federal law, specifically Title 18, United States Code 1030 (a)(2)(B) and (c) (2)(B)(ii); Title 18, United States Code 1001 (a)(2) as well as violations of state and municipal law.
8. That by his actions, RESPONDENT violated the Rules and Regulations and General Orders of the Cook County Sheriff's Police, specifically:

## **COOK COUNTY SHERIFF'S POLICE DEPARTMENT RULES AND REGULATIONS**

### **INTRODUCTION**

**...Violations, breeches and omissions of any rule or rules shall be considered to be actions against the best interest of the Department and/or the community. Such violations shall be punished with disciplinary action as indicated herein.**

**G.O. NUMBER: ROC 00-01-A.12**

### **XII. CONDUCT REGARDING THE PERFORMANCE OF DUTY**

## **GENERAL DUTIES**

**12.1 Officers of the Department will be charged with enforcement of all Federal, State and local laws and ordinances, the preservation of the public peace, the protection of life and property, the prevention of crime and the detection and apprehension of violators of the law.**

## **CONFORMITY TO RULES AND REGULATIONS**

**12.7 It will be the responsibility of every member of the Department to thoroughly familiarize themselves with the rules, regulations, orders and policies of the Department and to conform to and abide by the same. Each officer must have a working knowledge of all such laws and ordinances and render service to the County with enthusiasm, courage and loyalty.**

## **PERFORMANCE OF DUTY**

**12.9 Officers will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Any member of the Department who displays reluctance to properly perform his assigned duties, or who acts in a manner tending to bring discredit upon himself or the Department, or whose actions or performance in a position, rank or assignment are below acceptable standards, may be deemed incompetent and will be subject to dismissal from the Department.**

## **DEPARTMENT RECORDS**

**12.23 Members will not use for their private purposes, information received or acquired during the course of employment or duty.**

**12.24 Information from Department radios, records, files or sources obtained in the course of duty will not be passed on to other parties within or outside of the Department except as required by law, duty or assignment.**

## **INFORMATION REGARDING SUSPECTED CRIMINAL OR VICE ACTIVITY**

**12.25 Officers will report, in writing, to their Commanders all information in their possession regarding persons and places suspected of being involved or connected with violations of federal, state, county or municipal laws and ordinances relating to criminal matters or vice operations. Such reports will be submitted before the conclusion of the tour of duty during which the officer received the information. Information that is received while the officer was off-duty will be reported promptly.**

**12.28 Except in the discharge of their duties, members will not reveal the existence of or any information regarding Department projects, investigations or operations aimed at the apprehension of criminals or the control or suppression of vice activities.**

**G.O. NUMBER: ROC 00-01-A.13.1**

## **XIII PERSONAL CONDUCT**

### **STANDARD OF CONDUCT**

**13.1 Members will conduct themselves on or off-duty in such a manner as to reflect favorably on the Department. Members will not engage in conduct which discredits the integrity of the Department or its employees or which impairs the operation of the Department.**

**G. O. NUMBER: ROC 00-01-A.16**

## **XVI. VIOLATIONS & DISCIPLINARY ACTION**

### **SUMMARY OF ACTIONS SUBJECT TO DISCIPLINE**

**16.11 Violation of any Federal or State law, County or Municipal ordinance.**

**16.14 Conduct unbecoming a member of the Department.**

**16.19 Failure to follow a lawful order.**

**16.21 Violation of Departmental general or special orders.**

**16.22 Any other act or omission contrary to good order and discipline of the Department.**

**G. O. NUMBER: ORG 00 38 A**

## **III. DEFINITIONS**

**Disciplinary Action: Action that Employees will be subject to when their actions constitute one of the following:**

- a. A violation of State, Local, or Federal Law;**
- b. Conduct unbecoming an Employee;**
- c. A violation of written or verbal departmental, rules policy, procedure or orders.**

9. Furthermore, the RESPONDENT's actions violated the Rules and Regulations of the

County Sheriff's Merit Board, specifically:

**COOK COUNTY SHERIFF'S DEPARTMENT MERIT BOARD RULES AND  
REGULATIONS**

**Article X, Paragraph B**

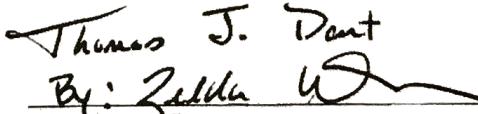
**No Police Officer of the Cook County Sheriff's Police Department,  
Correctional Officer of the Cook County Department of Corrections  
or Deputy Sheriff of the Cook County Sheriff's Court Services**

**Department will:**

- 1. violate any law or statute of any State or of the United States of America.**
- 3. violate any of the general orders, special orders, directives or rules and regulations of the Cook County Sheriff's Office.**

WHEREFORE, THOMAS J. DART, Sheriff of Cook County, maintains that the RESPONDENT, by his conduct, has violated the Rules and Regulations of the Cook County Sheriff's Merit Board, and respectfully requests this Board to hold a hearing on the charges as set forth in the complaint, pursuant to statute, and on proof of said charges, or any part thereof, the Board shall make a finding of guilty and order the RESPONDENT removed from the Cook County Sheriff's Office.

Dated this 21 day of August, 2012,  
at Chicago, Illinois

  
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Thomas J. Dart  
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By: Zelma W  
Thomas J. Dart  
Sheriff of Cook County